



## Anti-siphoning investigation

The Minister for Communications, Information Technology and the Arts has asked the ABA to assist with a review of the events protected under anti-siphoning provisions of the *Broadcasting Services Act 1992*.

In a direction of 22 December 2000, the Minister requested the ABA conduct an investigation into which events should be removed from or added to the anti-siphoning list. The investigation is also to report on the date or dates on which protection should expire for these events.

In conducting the investigation the ABA is to have regard to the policy that an event should only be included in the list if the event has been consistently broadcast by free-to-air television broadcasters in the past five years.

Siphoning means the obtaining of the exclusive rights (i.e. both free-to-air and pay TV rights) by a pay TV licensee to broadcast an event (or events), so that those events cannot be received on free-to-air television and would only be available to subscribers of the pay TV service.

The anti-siphoning regime is a mechanism by which the Minister can formally list events which are to be available on free-to-air television for viewing by the general public. The anti-siphoning list is not a list of sporting events reserved solely for free-to-air television. It does not compel free-to-air broadcasters to acquire the rights to listed events and does not guarantee them exclusive rights to such events. However, it does give them priority over pay TV licensees for the acquisition of rights to listed events.

The current anti-siphoning list contains sports events in 11 categories and has effect until 31 December 2004. The exception to this is the 2006 tournament of the FIFA World Cup Soccer which was added to the list by the Minister in May 2000.

Under the anti-siphoning rules the right to broadcast listed events can only be acquired by pay TV licensees if broadcast rights are held by commercial television licensees (who have the right to televise the event to a total of more than

50 per cent of the Australian population) or by a national television broadcaster (the ABC or SBS).

The ABA will invite public submissions on an issues paper scheduled for release in early February 2001.

The issues paper will be found on the ABA web site at [www.aba.gov.au/whats\\_new/index.htm](http://www.aba.gov.au/whats_new/index.htm) and public submissions will be placed on the web site as they are received.

The ABA is due to report to the Minister by 30 June 2001.

## ABA collects \$211.4m in television and radio licence fees

The ABA has collected commercial broadcasting licence fees of \$211.4 million. The fees are based on revenue earned by commercial television and radio services during the 1999–00 financial period.

'This is a modest increase on last year's figure of \$211.1 million, reflecting the rebates that have been claimed by eligible regional television licensees,' said Professor Flint. 'These are licensees who have indicated they will convert from analog to digital transmission by 30 June 2001 and may claim a rebate under the Regional Equalisation Plan.'

The ABA collected \$196.9 million from 48 commercial television services (compared with \$198.4 million from the same number of services in the previous year) and \$14.5 million from 240 commercial radio services (compared with \$12.7 million from 226 services in the previous year).

Annual licence fees are calculated on a percentage of a licensee's gross earnings for the previous financial period. Figures from licence fees paid by individual operators are not published in order to preserve confidentiality. A small number of operators have yet to pay or have not paid the correct fee. Licence fees collected go to the Commonwealth's consolidated revenue.

The introduction of the Regional Equalisation Plan in 2000 enabled regional television licensees to claim rebates totalling \$15.1 million. This recognises that regional television licensees face higher per capita costs in converting to digital broadcasting, compared with their metropolitan counterparts. While metropolitan television licensees were required to begin digital transmission from 1 January 2001, regional licensees can do so between that date and 1 January 2004.

### Submissions

The ABA invites public submissions on an issues paper which will be found on the ABA web site, from mid-February, at [www.aba.gov.au/whats\\_new/index.htm](http://www.aba.gov.au/whats_new/index.htm). Public submissions will be placed on the web site as they are received.





The Aggregation Rebate Scheme, which has been in operation since 1989, recognises the expenses incurred by regional television licensees in expanding their service areas under the Government's aggregation policy. Some regional television services have been able to offset the payment of their licence fees by using credits accrued over the period of the Aggregation Rebate Scheme. Rebates and the use of accumulated credits for this year totalled \$1 million—compared with \$2.5 million in the previous year. The reduction is due to the fact that licensees in markets which first benefited from this policy in 1988–89 have now exhausted their eligibility to a rebate.

The ABA expects to release aggregated financial results for commercial television and radio (including expenditure, revenue and profit figures) in March 2001.

## Revised digital channel plans for digital TV

### Melbourne

The variation to the digital channel plans for Melbourne includes plans for digital channels at

repeater sites at South Yarra, Warburton, Marysville, Safety Beach, Rosebud, Fern Tree Gully, Upwey and Selby.

The variation to the digital channel plans sets out the channels existing broadcasters will use for their local coverage digital retransmissions. The ABA has also identified channels in each area that may be used for other purposes, such as datacasting.

The ABA has allotted additional channels 51, 54, 57, 60, 63, 66 and 67 at each of the translator sites of South Yarra, Warburton, Marysville, Safety Beach and Rosebud for commercial and national digital television and datacasting. It has also allotted additional channels 41, 44, 47, 50, 53, 54 and 67 at each of the translator sites of Fern Tree Gully, Upwey and Selby for commercial and national digital television and datacasting. In order to operate on the same channel at different sites broadcasters will need to implement a number of these services as part of a single frequency network (SFN).

The variation to the commercial digital channel plan also includes a special condition on the technical specifications for the Melbourne digital television service to operate on channel 32. This

## Temporary community broadcasting licences

Allocated in December 2000

Area served	Licensee	Frequency	Period	Date allocated
<b>New South Wales</b>				
Sydney	2 Groove Inc.	94.5	26-12-2000 to 22-1-2001	19-12-2000
<b>Victoria</b>				
Camberwell	Swinburne Student Radio Inc.	94.1	16-12-2000 to 31-3-2001	15-12-2000
Camberwell	Whitehorse – Boroondara FM Community Radio Inc.	94.1	16-12-2000 to 30-6-2001	5-12-2000
Melbourne	Hot FM Current Chart Radio Inc.	89.9	25-12-2000 to 21-1-2001	15-12-2000
Melbourne	New-Gen Radio Inc.	91.5	25-12-2000 to 31-1-2001	15-12-2000
Sunbury	3NRG Inc.	99.3	1-1-2001 to 31-8-2001	20-12-2000
Waverley	Golden Days Radio for Senior Citizens Inc.	95.7	16-12-2000 to 30-6-2001	5-12-2000
Walwa/Jingellic/				
Tumbarumba	Upper Murray Community Radio Inc.	88.7 & 107.7	11-12-2000 to 10-12-2001	4-12-2000
<b>Queensland</b>				
Brisbane	Brisbane Interactive Radio Group Inc.	97.3	30-12-2000 to 16-2-2001	19-12-2000
<b>South Australia</b>				
Adelaide	Fresh Broadcasters Inc.	92.7	28-1-2001 to 28-2-2001	14-12-2000
Adelaide	Progressive Dance Network Inc.	100.7	16-12-2000 to 28-2-2001	5-12-2000
Adelaide	Radio Televisione Italiana (SA) Inc.	92.7	16-12-2000 to 27-1-2001	15-12-2000
Adelaide	Way Out West Broadcasters Inc.	100.7	16-12-2000 to 28-2-2001	13-12-2000
Barossa Valley	Barossa Broadcasting Board Inc.	89.1	16-12-2000 to 31-8-2001	13-12-2000
Coober Pedy	Dusty Radio Inc.	104.5	20-12-2000 to 30-11-2001	15-12-2000
<b>Western Australia</b>				
Armadale	Heritage FM Inc.	93.7	1-1-2001 to 30-4-2001	20-12-2000